

PATENT  
Customer No. 22,852  
Attorney Docket No. 02481.1775-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Paul HABERMANN

Application No.: 10/076,631

Filed: February 19, 2002

For: NUCLEIC ACIDS, PROTEINS,  
AND PROCESSES THEREOF  
SUCH AS PROCESSES FOR  
PRODUCTION OF  
SUPERSCRETABLE PEPTIDES  
AND FOR PARALLEL  
IMPROVEMENT OF THE  
EXPORTED FORMS OF ONE OR  
MORE POLYPEPTIDES OF  
INTEREST

)  
)  
) Group Art Unit: 1645

)  
) Examiner: Unknown

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Commissioner for Patents  
Washington, DC 20231

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE**

**STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Further to the Information Disclosure Statement filed September 13, 2002, and pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date

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of a first Office Action on the merits for this application. Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In accordance with 37 C.F.R. 1.97(e), the undersigned hereby states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Of course, this statement does not apply to information that has previously been cited by Applicant or the Examiner in the present application as that information is already of record and no certification is necessary.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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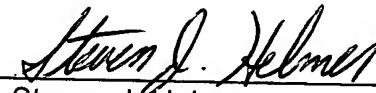
If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 7, 2002

By: \_\_\_\_\_

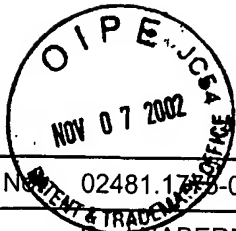


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## INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

Atty. Docket No.	02481.1745-00	Appln. No.	10/076,631	<b>RECEIVED</b> NOV 08 2002
Applicant	Paul HABERMANN			
Filing Date	February 19, 2002	Group:	1645	

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## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,677,172	10/1997	MAKAROW			

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Thim et al., "Secretion and Processing of Insulin Precursors in Yeast," <u>Proc. Natl. Acad. Sci.</u> , 83: 6766-6770 (1986).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce